

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA**

CORNELIUS HILL	:	
and	:	
TRUDIE HASTINGS HILL H/W	:	
Plaintiffs	:	
SCHIFFFAHRTSGESELLSCHAFT MS	:	NO. 02-CV-2713
PRIWALL mbH & Co. KG	:	
and	:	
REEDEREI F. LAEISZ G.m.b.h., ROSTOCK	:	
Defendants	:	

DEFENDANTS' REQUEST FOR TAXATION OF COSTS BY THE CLERK

Defendants Schiffahrtsgesellschaft MS Priwall mbH & Co. KG ("Priwall") and Reederei F. Laeisz G.m.b.h., Rostock ("Laeisz"), by and through their attorneys, Rawle & Henderson, hereby request that the Clerk tax costs against plaintiffs Cornelius and Trudie Hill as follows:

1. Plaintiffs Cornelius Hill and Trudie Hastings Hill, husband and wife, filed this lawsuit against defendants to recover damages that they allegedly sustained on August 24, 2000, while plaintiff Cornelius Hill was working aboard the M/V SEA PANTHER.
2. On December 19, 2002, defendants served upon plaintiffs an Offer of Judgment, pursuant to F.R.C.P. 68, in the amount of \$50,000.00. See Exhibit "A."
3. Plaintiffs did not accept defendants' Offer of Judgment, but proceeded to trial.
4. On April 8, 2004, the jury returned a verdict in favor of defendants.
5. On April 12, 2004, the Court entered judgment in favor of defendants according to the jury's verdict.
6. The judgment in favor of defendants is more favorable than the Offer of Judgment that defendants served upon plaintiffs on December 19, 2002, entitling defendants to all costs incurred after that date.
7. Defendants, as the prevailing parties, are also entitled to all costs under F.R.C.P. 54(d)(1).
8. Defendants have incurred the following costs in defense of plaintiffs' claims:

Fees of the Clerk	\$0.00	
Fees for service of summons and subpoena	\$396.50	<u>See Exhibit "B"</u>
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case	\$2,962.50	<u>See Exhibit "C"</u>
Fees and disbursements for printing	\$0.00	
Fees for witnesses	\$10,925.75	<u>See Exhibit "D"</u>
Fees for exemplification and copies of papers necessarily obtained for use in the case	\$2,210.32	<u>See Exhibit "E"</u>
Docket fees under 28 U.S.C. 1923	\$0.00	
Costs as shown on Mandate of Court of Appeals	\$0.00	
Compensation of court-appointed experts	\$0.00	
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828	\$349.44	<u>See Exhibit "F"</u>
Other costs	\$3,889.61	<u>See attached Itemization</u>

Total: \$20,734.12

WHEREFORE, defendants Priwall and Laeisz respectfully request that the Clerk tax costs as set forth herein.

Respectfully submitted,

RAWLE & HENDERSON LLP

By: _____
 Carl D. Buchholz, III, Esquire
 David S. Santee, Esquire
 Attorneys for Defendants
 The Widener Building
 One South Penn Square
 Philadelphia, PA 19107
 Phone: (215) 575-4200.

DATED:

DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill was mailed today with postage prepaid to:

E. Alfred Smith, Esquire
E. Alfred Smith & Associates
1333 Race Street, 2nd Floor
Philadelphia, PA 19107
Attorneys for Plaintiff Cornelius Hill

RAWLE & HENDERSON LLP

By: _____
Carl D. Buchholz, III, Esquire
David S. Santee, Esquire
Attorney for Defendants,
Schiffahrtsgesellschaft MS Priwall
mbH & Co. KG and Reederei F.
Laeisz G.m.b.h., Rostock

Costs are taxed in the amount of _____ and included in the judgment.

Clerk of Court

By: _____
Deputy Clerk

Date

ITEMIZATION OF "OTHER COSTS"

Postage and shipping	\$153.10
Transportation and travel	\$1,940.52
Investigation	\$79.80
Facsimile (699 pages @ \$1.50 per page)	\$1,048.50
Telephone charges	\$121.28
Courier fees	\$228.80
Computer-aided legal research	\$317.61
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Total	\$3,889.61

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Plaintiffs

SCHIFFFAHRTSGESELLSCHAFT MS

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and

REEDEREI F. LAEISZ G.m.b.h., ROSTOCK

Defendants

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NO. 02-CV-2713

JURY TRIAL DEMANDED

CERTIFICATE OF SERVICE

I do hereby certify that the foregoing Request for Taxation of Costs by the Clerk was served on this date by hand delivery to the following counsel of record:

E. Alfred Smith, Esquire
1333 Race Street, 2nd Floor
Philadelphia, PA 19107
Attorney for Plaintiff

David S. Santee, Esquire

Date: